

REMARKS

These remarks are directed to the final office action mailed August 7, 2009, setting a two month shortened statutory period for response which expired on October 7, 2009. A two month extension request and required fee authorization accompanies this amendment to reset the period so as to expire on January 7, 2010. The office action issued by the Examiner and the citations referred to in the office action have been carefully considered.

Prompt reconsideration is requested in view of the above claim amendments and the following remarks. As indicated, amendments introduce no new matter. Claim 19 has been added. Claims 2, 3, 7, 15 and 17 have been amended. Claims 2-4 and 6-19 are currently pending.

Claim Rejections - 35 U.S.C. § 112

Claims 2-7, 15-17 have been rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter. With this Amendment, Applicant has added new claim 19 and amended claim 15 to address the issues raised by the Examiner. Claims 2, 3, 7 and 17 have been amended to correct the dependency issue raised by the Examiner.

Applicant submits that the claims have been clarified to particularly point out and distinctly claim the subject matter and are patentable under 35 U.S.C. §112.

Claim Rejections - 35 U.S.C. § 103

Claims 8-18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Carfagnini (EP 230,212) in view of Credali et al. (WO 2004/026957), and in further view of Yamanaka (US 2003/0013820).

New independent claim 19 recites, among other things, a composition where the filler is added to the composition to achieve a total specific gravity of up to 2 kg/dm³ and having

weight of the composition. Similarly, amended independent claim 15 recites a method where the filler is added until the composition reaches a total specific gravity of 2 kg/dm^3 and a hardness ranging from ShA 40 to ShD 50. Support for these limitations are found on page 7, lines 25-27 of Applicant's specification.

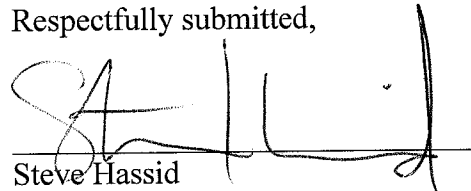
The Carfagnini (EP 230,212), Credali et al. (WO 2004/026957), and Yamanaka (US 2003/0013820), alone or together do not teach or suggest the claimed inventions as amended and that the claimed invention, as amended, would not be obvious to one of ordinary skill in the art, at the time the invention was made. More specifically, among other things, the references of record do not teach or suggest a composition where the filler is added to the composition to achieve a total specific gravity of up to 2 kg/dm^3 and having hardnesses ranging from ShA 40 to ShD 50 and the filler being of mineral origin being up to 90% by weight of the composition or a method where the filler is added until the composition reaches a total specific gravity of 2 kg/dm^3 and a hardness ranging from ShA 40 to ShD 50. Reconsideration is respectfully requested.

Conclusion

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 058009-021400 is referred to when charging any payments or credits for this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steve Hassid', written over a horizontal line.

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